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11 *Co-Lead Counsel for Plaintiff Class*

13 IN THE UNITED STATES DISTRICT COURT
14 FOR THE NORTHERN DISTRICT OF CALIFORNIA
15 SAN JOSE DIVISION

17 IN RE: HIGH-TECH EMPLOYEE
18 ANTITRUST LITIGATION

19 THIS DOCUMENT RELATES TO:

20 ALL ACTIONS

Master Docket No. 11-CV-2509-LHK

**DECLARATION OF JAMES G.
DALLAL RE: EXTENSION OF TIME
TO FILE DUE TO TECHNICAL
FAILURE PURSUANT TO CIVIL
LOCAL RULE 5-1(e)(5)**

22 Date: N/A
Time: N/A
Courtroom: 8, 4th Floor
23 Judge: The Honorable Lucy H. Koh

25 I, JAMES G. DALLAL, hereby declare and state as follows:

26 1. I am an attorney with the Joseph Saveri Law Firm, Co-Lead Counsel for Plaintiffs
27 and the proposed Class. I am a member of the State Bar of California, and am admitted to practice
28

before the United States District Court for the Northern District of California. I make this declaration based on my own personal knowledge. If called upon to testify, I could and would testify competently to the truth of the matters stated herein.

2. Friday, May 24, 2013 marked the deadline for the parties in the instant action to file their most recent Joint Discovery Status Report pursuant to the Court's April 1, 2013 Case Management Order (Dkt. 380). On that date, the parties met and conferred and agreed shortly after 5:00 p.m. to a final version of the Status Report. Counsel for all parties agreed that Plaintiffs would submit the document to the Court's Electronic Case Filing (ECF) system, and I represented that I would submit the document on behalf of all parties.

3. Shortly following the parties' agreement to a final version, I attempted to log in to the Court's ECF system without success. I attempted to log in via a direct link to the ECF login page and via the Northern District of California homepage, and repeated this exercise using both Mozilla Firefox and Microsoft's Internet Explorer. I repeated my attempts to log in to the ECF system via both Web addresses using both Web browsers at approximately 5:44 p.m., 6:36 p.m., 7:05 p.m., and periodically throughout Friday evening. On each attempt, the Web browser failed to download the page requested and instead returned an error message.

4. The Joint Discovery Status Report to which this declaration attached is the exact PDF file I had intended to upload as described in the previous paragraph, with no changes. But for the time stamp, it appears exactly as it would have had it been filed on Friday, May 24, 2013.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed May 28, 2013, in San Francisco, California.

By: /s/ James G. Dallal
James G. Dallal